

REMARKS

Upon entry of the present Amendment, Claims 23-27 and 30-45 will be all the claims pending in the application. Claims 1-22 and 28-29 have been canceled without prejudice. Claim 23 has been amended.

Claim 23 has been amended to recite subject matters previously recited in claims 28 and 29.

No new matter has been added. Entry of the Amendment is respectfully requested.

I. Response to Rejection of Claims 1, 2, 4, 6-15 and 17-22 under 35 U.S.C. § 102(b)

Claims 1, 2, 4, 6-15 and 17-22 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Bohm (U.S. 4,346,782).

Claims 1-22 have been canceled. The rejection is thus rendered moot.

II. Response to Rejection of Claims 3, 5 and 16 under 35 U.S.C. § 103(a)

Claims 3, 5 and 16 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bohm (U.S. 4,346,782).

Claims 1-22 have been canceled. The rejection is thus rendered moot.

III. Response to Rejection of Claims 23-45 under 35 U.S.C. § 103(a)

Claims 23-45 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bohm (U.S. 4,346,782) in view of Sophiea et al. (U.S. 6,277,903; "Sophiea").

Applicants respectfully traverse the rejection.

Claim 23, as amended, recites a method of damping or soundproofing a substrate by forming at least two layers on the substrate. The layers include a first cured product layer disposed on the substrate. The first cured product layer is formed from (1) a reactive fluid acrylic resin composition which includes a resin selected from the group consisting of (meth)acrylic

ester resin, urethane (meth)acrylate resin and epoxy(meth)acrylate resin; (2) a photo-initiator; and (3) a (meth)acrylate monomer.

Bohm discloses that it is possible for Bohm's first inner layer to be a material with a lower abrasion resistance, for example, an acrylic polymer based plastisol, having the additional advantage that as a result of their freedom from chlorine they give steel sheets a particularly effective corrosion protection. A second layer of a filled PVC plastisol with a higher modulus of elasticity and excellent abrasion resistance can then be applied to the first layer. Col. 3, lines 30-49.

However, Bohm does not disclose or suggest that the first cured product layer is formed from a reactive fluid acrylic resin composition, wherein the reactive fluid acrylic resin composition comprises (1) a composition including a resin selected from the group consisting of (meth)acrylic ester resin, urethane (meth)acrylate resin and epoxy(meth)acrylate resin, (2) a photo-initiator, and (3) a (meth)acrylate monomer.

Sophiea is relied upon as disclosing cured sprayable epoxy coatings which have sound damping properties which can be applied to substrates such as vehicles, which can be used instead of polyvinyl chloride based coatings and can easily be placed or coated on odd shaped (concave) objects. However, Sophiea does not make up the above-noted deficiencies of Bohm.

In view of the above, it is respectfully submitted that the present claims are patentable over Bohm in view of Sophiea, and withdrawal of the foregoing rejection under 35 U.S.C. § 103(a) is respectfully requested.

IV. Independent Patentability of Dependent claim 38

Applicants respectfully submit that claim 38 is patentable over Bohm in view of Sophiea for the following additional, independent reasons.

Claim 38 recites that no part of the second cured product layer is directly formed on the substrate. The instant specification demonstrates, for example, at pages 29-30, Examples 5 and 6, that the damping and sound-proofing effect is reduced when this requirement is not met.

The feature of claim 38 corresponds to the feature of the canceled claim 6. With respect to claim 6, the Examiner contends that Figure 1 of Bohm shows that no part of the hardest layer in the cured product layers is directly formed on the substrate. See Section 2 of the Office Action, at page 2.

Applicants respectfully disagree.

Figure 1 of Bohm is a mere schematic diagram. Applicants respectfully submit that Figure 1 of Bohm does not exactly show the end faces of the substrate, first inner layer and second outer layers. In contrast, representation of the side-end parts of the laminate is omitted. The side-end parts of the laminate of Bohm are not particularly specified. Thus, it does not exclude an embodiment where the second outer layer contacts the substrate.

On the other hand, claim 38 recites the specific layer lamination structure under the specific combination of materials. The effects given by this feature can be seen from the examples.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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